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8 **UNITED STATES DISTRICT COURT**  
9 **WESTERN DISTRICT OF WASHINGTON**  
10 **AT TACOMA**

11 WILLIAM ALVIE MARLOW,

12 Petitioner,

13 v.

14 SCOTT FRAKES,

15 Respondent.

NO. C09-5455 RJB/KLS

ORDER GRANTING EXTENSION TO  
FILE HABEAS PETITION

16 On December 2, 2009, Petitioner was ordered to advise the court by December 18,  
17 2009, as to whether he wished to proceed on his original petition or file an amended petition.  
18 Dkt. 11. In response, Petitioner asserts several reasons for his request for an additional thirty  
19 days "to further [his] appeal." Dkt. 12. Therefore, the court will extend Petitioner's deadline  
20 to either proceed on his original petition or to file an amended petition until January 29, 2010.  
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22 Accordingly, it is **ORDERED:**

23 (1) Petitioner's fourth motion for an extension of time (Dkt. 12) is **GRANTED**.

24 (2) Petitioner may proceed on his original petition or may file an amended petition  
25 **on or before January 29, 2010.**  
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1 (3) The Clerk is directed to send copies of this order to Petitioner.  
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3 **DATED** this 11th day of January, 2010.  
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6 Karen L. Strombom  
7 United States Magistrate Judge  
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